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Basic programme of work of the Council

Single Convention on Narcotic Drugs, 1961, as amended by the Protocol amending the Single Convention on Narcotic Drugs, 1961 (New York, 8 August 1975)

Proposal of amendments by the Plurinational State of Bolivia to article 49, paragraphs 1 (c) and 2 (e)

Note by the Secretary-General

In its decision 2009/250 of 30 July 2009, the Economic and Social Council, taking note of the note by the Secretary-General (E/2009/78) on the proposal of the Government of the Plurinational State of Bolivia to amend article 49, paragraphs 1 (c) and 2 (e), of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[1] decided, in accordance with article 47, paragraph 1, of the Convention as amended, to initiate the procedures established in paragraph 1 (b) of that article, which states that the parties shall be asked whether they accept the proposed amendment and also asked to submit to the Economic and Social Council any comments on the proposal.

The Secretary-General, acting in his capacity as depositary, communicated to the parties to the Convention the text of Council decision 2009/250 in a Depositary Notification[2] dated 30 July 2009.

The Secretary-General is hereby communicating to the Council a note verbale dated 28 January 2011 from the Permanent Mission of Italy to the United Nations (see annex).

[1] United Nations, *Treaty Series*, vol. 976, No. 14152.
[2] C.N.474.2009.TREATIES-3.

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Annex

Note verbale dated 28 January 2011 from the Permanent Mission of Italy to the United Nations addressed to the Secretary-General

The Permanent Mission of Italy to the United Nations presents its compliments to the Secretary-General and has the honour to refer to the Secretary-General's Depositary Notification dated 6 April 2009 (C.N.194.2009.TREATIES-2), which communicated a proposal by Bolivia to amend the Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol amending the Single Convention on Narcotic Drugs, 1961 (the Single Convention); and to the Secretary-General's Depositary Notification dated 30 July 2009 (C.N.474.2009.TREATIES-3), which informed the parties to the Single Convention of the decision of the Economic and Social Council to initiate the procedure established under article 47, paragraph 1 (b), of the Single Convention with regard to the proposal.

Italy is fully aware of the importance of the efforts of Bolivia to reduce the production of and trade in illicit coca products. Italy is also fully aware of the cultural implications of the Bolivian amendment and, to this end, underlines the importance of respecting the cultural identity and traditions of indigenous populations, guaranteed by the United Nations Declaration on the Rights of Indigenous Peoples. However, Italy believes that the dialogue aimed at further promoting respect for indigenous traditions should be fully coherent with and preserve the integrity of the Single Convention.

States parties to the Single Convention undertake an obligation to limit the trade in and use of narcotic drugs exclusively to medical and scientific purposes. States parties also recognize that measures against the abuse of narcotic drugs require coordinated and universal action. Schedule I to the Single Convention lists coca leaf as a narcotic drug.

Italy is therefore of the opinion that, in proposing amendments, States parties should be guided by the object and purpose of the Single Convention. The Bolivian proposal poses the risk of creating a political precedent and might directly impact the international anti-narcotics legal framework. This would send a negative signal, out of step with the actions undertaken so far in the fight against drug trafficking and drug use.

In the light of these considerations, the Government of Italy hereby informs the Secretary-General, in accordance with article 47, paragraph 1 (b), of the Single Convention, that it does not accept the amendment proposed by Bolivia.